

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

MARCIA FREDERICK, individually, and  
on behalf of all others similarly situated,

Plaintiff,

v.

UNITED STATES OLYMPIC  
COMMITTEE, USA GYMNASTICS  
(formerly known as the United States  
Gymnastics Federation), RICHARD  
CARLSON, MURIEL GROSSFELD,  
GEORGE WARD

Defendants.

Civil Case No. 1:18-cv-11299

**UNOPPOSED MOTION FOR LEAVE TO FILE MEMORANDA  
THAT EXCEED THE PAGE LIMIT**

To support their forthcoming motions to dismiss, Defendants United States Olympic Committee (“USOC”) and USA Gymnastics, Inc. (“USAG”) each respectfully requests permission to file supporting memoranda that exceed the 20-page limit but do not exceed 25 pages. Plaintiff Marcia Frederick does not oppose this request.

In support of this Unopposed Motion, USOC and USAG state as follows:

1. Plaintiff filed an Amended Complaint on September 28, 2018. The Amended Complaint is 44 pages and contains 200 paragraphs. It asserts five claims against USOC and USAG, alleging violations of the federal Safe Sport Act, Massachusetts’s Chapter 93A, and the Massachusetts common law of negligence, negligent supervision and retention, and negligent

infliction of emotional distress. In addition, Plaintiff seeks to maintain her claims that USOC and USAG violated the Safe Sport Act on behalf of a nationwide class.

2. USOC and USAG intend to file motions to dismiss. Under the briefing schedule entered by this Court on September 27, motions to dismiss are due October 19 and oppositions are due November 16. ECF No. 18.

3. Under Local Rule 7.1(b)(4), no memorandum supporting or opposing a motion may exceed 20 double-spaced pages without leave of court.

4. Given the length of the Amended Complaint, the number and type of claims, the putative class-action nature of this proceeding, and the numerous grounds for dismissal that USOC and USAG intend to raise, USOC and USAG respectfully request permission to file 25-page memoranda supporting their motions to dismiss, an increase of five pages over the existing page limit. USOC and USAG have endeavored to draft their arguments for dismissal concisely, but have concluded that all of their arguments cannot be made within the existing 20-page limit.

5. Counsel for USOC and USAG have conferred with Plaintiff's counsel prior to filing this motion. Plaintiff does not oppose this request. Plaintiff has requested that if USOC's and USAG's requests are granted, that she be given a reciprocal increase of five pages for her opposition memoranda. USOC and USAG will not oppose such a request.

For the foregoing reasons, USOC and USAG request that this Court allow the Unopposed Motion for Leave to Exceed the Page Limit and permit them to file memoranda of up to 25 pages in support of their forthcoming motions to dismiss.

Dated: October 15, 2018

Respectfully Submitted:

/s/ Michael Maya

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**CERTIFICATE PURSUANT TO LOCAL RULE 7.1(a)(2)**

I hereby certify that on October 9, 2018, counsel for defendant USOC conferred via email with counsel for Plaintiff and USAG on the substance of this motion. Counsel for Plaintiff and USAG indicated their agreement with the relief requested by this motion.

/s/ Andrew Soukup

Andrew Soukup

**CERTIFICATE OF SERVICE**

I hereby certify that on October 15, 2018 the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), pursuant to Local Rule 5.4(c).

/s/ Michael Maya  
Michael Maya